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LETTER DATED 14 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF NIGERIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a letter addressed to you by H. E. Mr. Mohamed Abdelaziz, Secretary-General of the Frente POLISARIO.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Ibrahim A. GAMBARI
Ambassador
Permanent Representative

95-21035 (E) 140795 140795 170795

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Annex

[Original: French]

Bir Lehlu

12 July 1995

Sir,

The Frente POLISARIO has been compelled, on many occasions, to draw the attention of the United Nations Security Council and Secretary-General, and to direct international public opinion, to the serious developments arising as a result of the obstacles created by the Kingdom of Morocco in implementation of the settlement plan, whereas all the acts of the Saharan party continue to be, in good faith, in support of United Nations action in Western Sahara.

This determination to tailor our acts to satisfy the legitimate aspirations of all the peoples of the region for peace and stability has, regrettably, not been reciprocated. Intransigence, obstruction and constant manipulation of the settlement plan by the Moroccan party have continued and intensified while our people continue to suffer, in the occupied territories, nothing less than colonial repression.

The recent Security Council mission to Western Sahara and the region afforded an opportunity to remove all obstacles, thereby providing renewed impetus to the implementation process under way. Paradoxically Morocco used the mission to add other impediments to those it had already created by carrying out unjustifiable arrests and convictions in the occupied territories and by attempting to force the Identification Commission to consider the situation of tens of thousands of Moroccans with a view to their participating in the referendum so as to predetermine the outcome or stall the process of implementing the settlement plan indefinitely.

In having alerted the international authorities and public opinion to the danger of an arbitrary enlargement of the Saharan electoral body while the 1974 Spanish census constitutes the only basis recognized in the settlement plan as accepted by the two parties and endorsed by the United Nations, the Frente POLISARIO is within its rights to call upon the Security Council to assume its full responsibilities in response to the serious and repeated attempts by Morocco to undermine the integrity of the plan and the now evident consequences for the credibility of the United Nations commitment to the genuine decolonization of Western Sahara.

His Excellency Mr. Gerardo MARTINEZ BLANCO
President of the Security Council
United Nations
New York

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Sir,

These objective realities of the situation regarding implementation of the settlement plan are starting to be seen for what they are. The appreciable efforts made by certain States members of the Security Council to induce Morocco to reconsider immediately its arbitrary decisions, the adoption of Security Council resolution 1002 (1995) on 30 June, the intervention of friendly countries and the positive discussion at the thirty-first session of the Summit Conference of Heads of State and Government of the Organization of African Unity reinforce us in our belief that determined and sincere action to maintain the settlement plan and to guarantee its thorough and transparent implementation can and must be undertaken.

In this regard the Frente POLISARIO, in the responsible and constructive spirit which has always inspired its decisions, wishes to provide a further indication of its willingness to attain a just and peaceful settlement to its conflict with the Kingdom of Morocco.

In this spirit the Frente POLISARIO has decided to continue to participate in the work of the Identification Commission.

This decision clearly implies that United Nations initiatives must be guided by the wish to ensure equal treatment of the two parties and to maintain the credibility and viability of the settlement process as a whole.

It also supposes that, in this decolonization mission which primarily falls under the responsibility of the United Nations, the people of Western Sahara alone are to remain empowered to determine their own future. Thus, the participation of a substitute population, sought by the occupying Power, whose most recent manoeuvre was to attempt to include 100,000 of its nationals in the voters list, is unacceptable.

It further implies that the Identification Commission should be extremely rigorous in processing applications to participate in the referendum by relying on the existence of irrefutable evidence with corroborating testimony by tribal chiefs.

It requires, finally, that the United Nations affirm its authority in the Territory and fully assume all the responsibilities conferred upon it by the settlement plan, in particular monitoring of the international borders of the Territory and transparency at each stage of the process, while ensuring respect for human rights and fundamental freedoms as well as compliance by the occupying Power with the mandatory rules of international humanitarian law contained in the 1949 Geneva Conventions.

These are the standards the United Nations must meet to restore confidence and make an effective contribution to a just and lasting settlement of the conflict in Western Sahara.

Accept, Sir, etc.

Mohamed ABDELAZIZ
Secretary-General, Frente POLISARIO
President of the
Saharan Arab Democratic Republic